

# Cosmetics

## **What is a Cosmetic?**

As defined in Chapter 3715 of the Ohio Revised Code, cosmetics are: articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance or for use as a component of any such article.

Included in this definition are skin moisturizers, perfumes, lipsticks, fingernail polishes, eye and facial makeup preparations, shampoos, toothpastes, and deodorants (note: soap is not considered a cosmetic).

## **What are the licensing requirements for producing and storing a cosmetic?**

Cosmetic manufacturers and warehouse owners must be inspected by the Ohio Department of Agriculture's Division of Food Safety. There is no license or registration issued, and there is no fee for the inspection. The site of production and storage must be inspected prior to the start of operation. Subsequent inspections will be conducted on a routine, unannounced basis.

Cosmetics may be produced in a home or commercial setting. Pets are NOT permitted in either a commercial or residential setting.

## **What does the inspection entail?**

The site of production and storage must be compliant with the good manufacturing practice guidelines for cosmetics. Below is a link to the guidelines:

<https://www.fda.gov/cosmetics/cosmetics-guidance-documents/good-manufacturing-practice-gmp-guidelinesinspection-checklist-cosmetics>

## **What are the requirements for the labeling of Cosmetics?**

A Cosmetic manufacturer is required to label all their products properly, which includes the following information on the label of each unit of product offered or distributed for sale:

1. Statement of Identity - the name of the product
2. Net Quantity of Contents - the net weight, in both U.S. Customary System and International System
3. Ingredient List - ingredients of the cosmetic product, listed in descending order of predominance by weight
4. Statement of Responsibility - the name and address of the business

Cosmetics cannot claim to diagnose, cure, mitigate, treat, or prevent a disease. The following would be considered drug claims and would not be permitted on a cosmetic (this is not an all-inclusive list):

- a shampoo that claims to treat dandruff
- lotions that fight acne, cure poison ivy, or provide SPF protection
- a toothpaste that prevents cavities

## **Cosmetics containing hemp may not be made in the home.**

The FDA labeling guide for cosmetics can be found:

<https://www.fda.gov/cosmetics/cosmetics-labeling-regulations/cosmetics-labeling-guide>

## **Additional information on Cosmetics**

For more information on cosmetics, visit FDA's Small Businesses & Homemade Cosmetics: Fact Sheet page at:

<https://www.fda.gov/cosmetics/resources-industry-cosmetics/small-businesses-homemade-cosmetics-fact-sheet#6>

Note: Cosmetics that contain Hemp/CBD must be licensed by the Hemp Division and must be made in a commercial facility. Home production of cosmetics that contain Hemp is not permitted.

For questions or to set up an inspection, please contact the Ohio Department of Agriculture, Division of Food Safety at 614-728-6250